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IT IS SO ORDERED.

Dated: October 18, 2010



Charles M. Caldwell
Charles M. Caldwell
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In Re: : Case No. 09-60094
Jennifer Smith : Chapter 13
Debtor(s). : Judge Caldwell

AGREED ORDER ON TRUSTEE'S MOTION TO DISMISS (Doc. 38)

This cause came on for hearing on October 12, 2010 on the Trustee's Motion to Dismiss this Chapter 13 Case (Doc. 38) and the response thereto (Doc. 40) filed by Debtor(s). Upon the agreement of the parties, the Chapter 13 Trustee's Motion to Dismiss shall be held in abeyance to provide Debtor(s) the opportunity to perform under the confirmed Chapter 13 Plan (the "Plan").

Debtor(s) shall resume full and regular payments into the Plan. Debtor(s) shall also cure the length problem in the Plan, if any, within sixty (60) days of the date of this Order by filing such pleadings as may be necessary, e.g. a motion to modify the Plan or objections to claims.

If the Debtor(s) become more than thirty (30) days in default on any subsequent Plan payment, or if the Debtor(s) fail to correct the length problem within sixty (60) days, the Trustee shall be authorized to submit to the Court an order of dismissal with an attached affidavit attesting to the default under this Agreed Order. Upon submission of the Trustee's proposed order of dismissal and affidavit of default, the Motion to Dismiss will be granted instantly without further notice or hearing.

IT IS SO ORDERED.

Approved:

/s/Andrew Yiangou by D. L. Mains, Jr.
Per telephone authorization 10/05/10
Attorney for Debtor
3099 Sullivant Avenue
Columbus, OH 43204

/s/ Frank M. Pees
Frank M. Pees
Chapter 13 Trustee
130 E. Wilson Bridge Rd., Ste. 200
Worthington, OH 43085

Copies to: Default List

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